

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONNELL SIMMONS,

Plaintiff,

v.

Case No. 20-12355
Honorable Linda V. Parker

STATE OF MICHIGAN,
CITY OF TRENTON, TRENTON
POLICE CHIEF, TRENTON POLICE
DEPARTMENT, U.S. BORDER
PATROL, and JOHN DOES I-VI

Defendants.

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**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR EXTENSION
OF TIME (ECF NO. 39)**

On October 25, 2021, Magistrate Judge Kimberly G. Altman issued a report and recommendation (R&R) recommending that this Court *inter alia* grant a motion to dismiss filed by Defendants City of Trenton, the Trenton Police Chief, and the Trenton Police Department. (ECF No. 31.) Plaintiff filed objections to the R&R on November 8 (ECF No. 33), which this Court rejected when adopting Magistrate Judge Altman's recommendations in a January 18 opinion and order (ECF No. 35). As the Court had previously dismissed Plaintiff's claims against the State of Michigan and U.S. Border Patrol, and Plaintiff had not identified the John Doe Defendants, it entered a judgment on the same date. (ECF No. 6.) On

February 1, Plaintiff filed a motion for extension of time curiously asserting that he had until February 1 to file his objections to the R&R. (ECF No. 39.)

Of course, Plaintiff is incorrect. As Magistrate Judge Altman plainly stated in the R&R, “any objections [had to have been] filed within 14 days of service, as provided for in Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1(d).” (ECF No. 31 at Pg ID 389.) Moreover, Plaintiff filed objections in which he states that they relate to the October 25 R&R. (ECF No. 22 at Pg ID 394.) To the extent Plaintiff believes he has a right to “object” to the Court’s decision adopting the R&R, he is wrong. While the Federal Rules of Civil Procedure provide a mechanism for seeking to alter or amend the judgment, *see Fed. R. Civ. P. 59(e)*, Plaintiff does not set forth a reason to disturb the Court’s decision. He simply restates his previous meritless arguments for why he believes he had no obligation to participate in discovery in this matter.

For these reasons, Plaintiff’s motion to extend time (ECF No. 39) is
DENIED.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: February 7, 2022